



# Wisconsin Elections Commission

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## **2023 ABSENTEE BALLOT ENVELOPE** **SUBGRANT PROGRAM**

### **REQUEST FOR FUNDS & MEMORANDUM OF UNDERSTANDING**

**BETWEEN**

**THE WISCONSIN ELECTIONS COMMISSION**

**AND**

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**(NAME OF MUNICIPALITY, COUNTY)**

#### **I. PARTIES**

The parties to this Memorandum of Understanding (hereinafter referred to as “MOU” or “agreement”) are the Wisconsin Elections Commission (hereinafter referred to as the “WEC” or the “Commission”) and the (City) (Village) (Town) of \_\_\_\_\_ in \_\_\_\_\_ County, Wisconsin. The Commission is the state agency providing an election security subgrant of federal funds to the city, village, or town. The City, Village or Town identified above is the entity receiving a local election security subgrant from the Commission and is referred to herein as the “receiving jurisdiction.” By signing and dating this agreement, the participating City, Village, or Town agrees to the terms of this agreement with the Commission.

#### **II. PURPOSE**

The purpose of this MOU is to set forth the requirements that cities, villages and towns must meet to be eligible to receive an absentee ballot envelope subgrant from the Commission and the requirements for the use of the funds. The subgrant program is funded by the federal HAVA Election Security Grant which was authorized by the U.S. Congress under Section 101 of the Help America Vote Act of 2002 (P.L. 107-252) (HAVA) and provided for in the Consolidated Appropriations Act of 2023 (Public Law 117-328) and issued by the federal Election Assistance Commission. The purpose of the federal grant is to “improve the administration of elections for Federal office, including to enhance election technology and make election security improvements to the systems, equipment and processes used in federal elections” (CFDA Number 90.404; Federal Award Identification Number (FAIN) EAC-ELSEC18WI).

The purpose of the subgrant is to help improve overall election security of federal elections statewide by providing cities, villages, and towns across the State of Wisconsin with federal election security funds to safeguard and secure the integrity of the absentee voting process in federal elections.

#### **III. SUBGRANT PROGRAM REQUIREMENTS**

*Wisconsin Elections Commissioners*

Don M. Millis, chair | Marge Bostelmann | Joseph J. Czarnecki | Ann S. Jacobs | Robert Spindell | Mark L. Thomsen

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Administrator  
Meagan Wolfe

## A. Introduction

The Commission’s Election Security Subgrant Program (“subgrant”) is intended to fund jurisdictions purchasing redesigned absentee ballot envelopes. Each jurisdiction may receive an amount determined based on their estimated January 1, 2022, voting age population as determined by the Department of Administration Demographic Services Center.<sup>1</sup> All funds received must be expended to purchase the redesigned absentee ballot envelopes or returned to the Commission.

## B. Envelope Redesign.

At the Commission’s February 2, 2023, meeting, WEC staff were directed to develop a timeline to implement a new absentee ballot envelope package that would allow for the Commission to approve the design no later than its September 20, 2023, meeting. The absentee ballot envelope package for voters includes two envelopes:

- EL-120: Absentee Ballot Mailer Envelope (outside envelope going to voter)
- EL-122: Official Absentee Ballot Application/Certification (inside envelope returning to clerk)

These envelopes were redesigned to ensure compliance with recent court decisions and the Wisconsin statutes. Old envelopes are not compliant with the law, and the Wisconsin Elections Commission unanimously voted not to permit their continued use, starting in 2024.

At the Commission’s March 3, 2023, meeting, the Commission directed staff to allocate \$600,000 of federal funds towards an Absentee Ballot Envelope subgrant program, to partially offset the cost of transitioning to new absentee ballot envelopes now under development. The absentee ballot envelope performs several functions – each essential to the security of the voter’s choice, and the integrity of the wider electoral process. A successful transition to the new design is therefore in the interest of all participants.

## IV. FUNDING

- A. Commission staff will award subgrants based on receipt of a signed Memorandum of Understanding (MOU). Jurisdictions may receive a proportional amount of available subgrant funds based on their 2022 estimated voting age population as outlined in Appendix A. The minimum award is \$20.00.
- B. **All funds received must be expended to purchase the redesigned absentee ballot envelopes.** A county purchasing envelopes on behalf of a municipality may receive a subgrant award, however only one award will be granted per municipality. Any unused funds must be returned to the Commission by December 31, 2024.
- C. Subgrant period: **March 3, 2023 – December 31, 2024.** All costs must be incurred, including goods received, during this project period. Bids, proposals, or purchase orders are not adequate for this subgrant.
- D. Documentation: Receipts and/or invoices for all subgrant expenditures, showing date and amount for all funds expended, must be retained by requesting jurisdictions for a minimum of **eight years**. “Equipment” is defined as an asset with a useful life of more than one year and a per-unit acquisition cost of \$5,000 or greater (2 CFR § 200.33) and requires additional documentation. A standard inventory list of all Equipment purchased in whole or in part using subgrant funds must be created and maintained by the jurisdiction for purposes of any

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<sup>1</sup> [https://doa.wi.gov/Pages/LocalGovtsGrants/Population\\_Estimates.aspx](https://doa.wi.gov/Pages/LocalGovtsGrants/Population_Estimates.aspx)

state or federal audit. This inventory list must be **provided to the WEC** and again provided whenever there are changes to this inventory list. Per 2 CFR § 200.313(d), this inventory list must include the following nine fields: (1) a description of the property, (2) a serial number or other identification number, (3) the source of funding for the property (including the FAIN), (4) who holds title, (5) the acquisition date, and (6) cost of the property, (7) percentage of Federal participation in the project costs for the Federal award under which the property was acquired, (8) the location, use and condition of the property, and (9) any ultimate disposition data including the date of disposal and sale price of the property. At least once every two years, a physical inventory of the property must be taken and the results reconciled with the inventory list. Please consult 2 CFR § 200.313 for additional federal requirements and conditions pertaining to Equipment.

- E. Request Processing: Subgrant funds will be distributed in a timely manner after the WEC receives the completed and signed MOU from the jurisdiction. Subgrant funds will be disbursed by electronic transfer to a jurisdiction's shared revenues account (if available), or via a physical check sent to a jurisdiction's shared revenues location. For questions related to the processing of subgrant reimbursements, contact the Commission's financial team via the WEC Help Desk at 608-261-2028 or [elections.finance@wi.gov](mailto:elections.finance@wi.gov).

## V. SUBGRANT PROGRAM DEADLINES

To help increase overall election security across the state, the election subgrant program has established the following deadlines:

**New Envelope Design Available: August/September, 2023**

**Application (MOU) Deadline: June 30, 2024**

**Return Unused Funds Deadline: December 31, 2024**

## VI. COMPLIANCE MONITORING, CERTIFICATION, DOCUMENTATION AND AUDIT

### A. Certification.

The receiving jurisdiction shall certify (by completing the MOU) that information provided is true and correct; it has complied with all terms of the subgrant; the election security subgrant funds will be used to meet the terms of the subgrant, including to increase the accessibility of federal elections; and that any falsification of information related to the subgrant could subject the jurisdiction official to civil or criminal penalties.

### B. Documentation.

The receiving jurisdiction shall maintain all documentation of purchases made using subgrant funds provided by the Commission for a minimum of eight years from the date of the expenditure or until the WEC authorizes destruction of said records. A standard inventory list of all items purchased using subgrant funds must be created and maintained by the jurisdiction for purposes of any state or federal audit. Such original purchasing documentation and inventory lists shall be retained by the receiving jurisdiction until the WEC authorizes the destruction of said records. Submission of copies of all purchasing documentation may be required by the WEC or federal auditors at any time.

### C. Audit.

All subgrant funds received are subject to audit by the Commission and/or the federal government to ensure funds have been spent appropriately and in accordance with all applicable state and federal laws. Pursuant to Wis. Stat. § 5.05(11), if the federal government objects to the use of any funds provided to a county or municipality under the subgrant, the county or municipality shall repay the amount of the subgrant to the Commission.

**D. Regulations.**

As the receiving jurisdiction, we further certify that we will follow all state and federal laws, including adherence to all applicable federal requirements including Office of Management and Budget (OMB) guidance: Title 2 C.F.R. Subtitle A, Chapter II, Part 200-Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards (2 C.F.R. § 200) found here: (<https://www.govinfo.gov/app/collection/cfr/2022/>).

**VII. SIGNATURES**

By signing and dating this agreement the receiving jurisdiction agrees to the terms of this MOU and certifies that the information provided in this MOU is true and correct.

**Receiving Jurisdiction**

**Signature** \_\_\_\_\_ **Date:** \_\_\_\_\_  
(Authorized Representative of Jurisdiction)

**Printed Name** \_\_\_\_\_  
(Authorized Representative of Jurisdiction)

**Jurisdiction Name:** \_\_\_\_\_

**County:** \_\_\_\_\_

**Jurisdiction Treasurer Name:** \_\_\_\_\_

**Jurisdiction Treasurer Mailing Address:** \_\_\_\_\_  
\_\_\_\_\_

**Jurisdiction Clerk E-mail:** \_\_\_\_\_

**Submit completed form by June 30, 2024, to:**

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